



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE HONORABLE BOARD OF PATENT APPEALS AND INTERFERENCES

In re the Application of

Yasuo MATSUMURA et al.

Group Art Unit: 1756

Application No.: 10/658,811

Examiner: C. RODEE

Filed: September 10, 2003

Docket No.: 117092

For: TONER FOR DEVELOPING ELECTROSTATIC IMAGES CONTAINING
SPECIFIED BINDER RESIN, PROCESS FOR PREPARING THE SAME,
DEVELOPER FOR DEVELOPING ELECTROSTATIC IMAGES, AND IMAGE
FORMING METHOD

REPLY BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The following remarks are directed to the new points of argument raised in the
Examiner's Answer dated September 18, 2006.

I. Response to Examiner's Answer

The Examiner asserts, in the Examiner's Answer, that Tanaka specifically teaches and
claims, in claim 11, a vinyl copolymer meeting the limitations of independent claim 1.

However, Tanaka does not provide any examples relating to toner prepared using the
vinyl copolymer of Tanaka's claim 11 and does not indicate that the monomers of claim 11's
methyl methacrylate/iso-butyl methacrylate/methacrylic acid copolymer are chosen so that
high Tg monomer, a low Tg monomer and a hydrophilic monomer are included in the
copolymer. *See generally* Tanaka. Further, Tanaka's broad disclosures of toners that may

include binder resins having copolymers that include monomers such as those set forth in claim 1 does not include any teaching of the claimed toners or the benefits that can be achieved by the claimed toners. Practically, Tanaka only discloses toners that include styrenic monomers; that is, all of the toners of the Tanaka examples include styrene monomers. *See* Tanaka, col. 5, line 60 - col. 9, line 10.

In contrast, the claimed toners exclude styrene and its derivatives from their binder resins. By eliminating styrene, the claimed toners avoid emission of odors and volatile components associated with styrene-containing toners, have excellent low temperature fixing, and provide images that are durable, glossy and have excellent image quality. *See* Specification, page 18, line 5 - page 19, line 1.

Thus, Applicants respectfully submit that Tanaka does not provide the requisite teachings or suggestions of a toner that includes a binder resin as a main component in which the binder resin includes a high Tg monomer of claimed structural formula (1), a low Tg monomer of claimed structural formula (2) and a hydrophilic monomer of claimed structural formula (3), because all of the Examples of Tanaka include a styrenic monomer.

II. Conclusion

For all of the reasons discussed above, it is respectfully submitted that claims 1-5 and 8-17 define patentable subject matter under 35 U.S.C. §102(b) and §103(a) over the cited references and are thus in condition for allowance. For all of the above reasons, Applicants respectfully request this Honorable Board reverse the rejections of claims 1-5 and 8-17.

Respectfully submitted,



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Date: November 20, 2006

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